



01-27-04

RCE/3621

PTO/SB/30 (10/01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

|                               |                      |
|-------------------------------|----------------------|
| <i>Application Number</i>     | 09/406,486           |
| <i>Filing Date</i>            | September 27, 1999   |
| <i>First Named Inventor</i>   | Yoichiro SAKO et al. |
| <i>Group Art Unit</i>         | 3621                 |
| <i>Examiner Name</i>          | Firmin BACKER        |
| <i>Attorney Docket Number</i> | 450100-02102         |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

|    |  |
|----|--|
| 1. | Submission required under CFR 1.114.   |
| a. | <input checked="" type="checkbox"/> Previously submitted <ul style="list-style-type: none"> <li>i. <input checked="" type="checkbox"/> Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on <u>December 22, 2003</u>.<br/>(Any unentered amendment(s) referred to above will be entered)</li> <li>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</li> <li>iii. <input type="checkbox"/> Other _____</li> </ul> |
| b. | <input type="checkbox"/> Enclosed <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> Amendment/Reply</li> <li>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</li> <li>iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</li> <li>iv. <input type="checkbox"/> Other _____</li> </ul>  |
| 2. | Miscellaneous  |
| a. | <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103© for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)   |
| b. | <input type="checkbox"/> Other _____   |
| 3. | <b>Fees</b> The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  |
| a. | <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees, or credit any overpayments, to <b>Deposit Account No. 50-0320</b> . <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e)</li> <li>ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)</li> <li>iii. <input type="checkbox"/> Other _____</li> </ul>  |
| b. | <input checked="" type="checkbox"/> Check in the amount of \$770.00 is enclosed for the following: filing fee.   |
| c. | <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                |                                   |                  |
|-------------------|----------------|-----------------------------------|------------------|
| Name (Print/Type) | Gordon Kessler | Registration No. (Attorney/Agent) | 38,511           |
| Signature         |                | Date                              | January 26, 2004 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37CFR 1.10 on the date indicated below and is addressed to: **Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|  |  |       |                  |
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| Name (Print/Type)                                    |  | Date: | January 26, 2004 |
| Signature  |  | Date: | January 26, 2004 |
| "Express Mail" mailing label number: EV 385415640 US |  |       |                  |

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